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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,070	01/21/2004	Noah Chen	JCLA12713	4581
23900	7590	03/07/2005	EXAMINER	
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618			PICKETT, JOHN G	
			ART UNIT	PAPER NUMBER
			3728	

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/762,070	Applicant(s) CHEN, NOAH	
	Examiner Gregory Pickett	Art Unit 3728	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

1. Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (Figures 1-4; hereinafter PA) in view of Nyseth et al (US 6,010,008).

Regarding claim 1, PA discloses a SMIF box **200** with a base pedestal **220** and a cover **210**. PA merely lacks the o-ring seal.

Nyseth discloses o-ring seals **118 & 120** for sealing the breaks or openings between the interior and exterior (Col. 3, lines 23-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the PA box

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with o-ring seals as taught by Nyseth et al in order to seal the connection between the base and cover.

As to claim 4, AP discloses circular groove **212**.

2. Claims 2, 3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over PA-Nyseth as applied to claims 1 and 4 above, and further in view of Baseman et al (US 5,346,518).

Regarding claims 2 and 3, PA-Nyseth discloses the claimed invention except for the drying agent.

Baseman et al discloses vapor removal element **30** with a drying agent **32** and a filter net **34** for minimizing contamination of the components within the enclosure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the SMIF of PA-Nyseth with a drying agent and filter net as taught by Baseman et al in order to minimize contamination of the retained components.

As to claims 5 and 6, PA discloses cavities **214**. It would have been an obvious matter of design choice to one of ordinary skill in the art at the time the invention was made to provide the drying agent of PA-Nyseth-Baseman in the cavities in order to maximize the use of space.

3. Claims 7 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over PA in view of Dickinson et al (US 2003/0232512 A1).

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Regarding claim 7, PA discloses a SMIF box **200** with a base pedestal **220** and a cover **210**, and a SMIF box loader **300**. PA does not expressly disclose a hermetically sealed loader.

Dickinson et al discloses a hermetically sealed loader **20** for maintaining desired process conditions (see paragraph [0004]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the loader of PA as hermetically sealed in order to maintain desired process conditions.

As to claims 14-17, Dickinson discloses an inert gas inlet **81** for nitrogen and an air outlet **77** (see paragraph [0058]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include these features in the system of PA-Dickinson in order to purge the compartment of contaminants.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over PA-Dickinson as applied to claim 7 above, and further in view of Nyseth et al.

PA-Dickinson discloses the claimed invention except for the o-ring seal.

Nyseth discloses o-ring seals **118 & 120** for sealing the breaks or openings between the interior and exterior (Col. 3, lines 23-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the PA-Dickinson box with o-ring seals as taught by Nyseth et al in order to seal the connection between the base and cover.

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5. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over PA-Dickinson-Nyseth as applied to claim 8 above, and further in view of Baseman et al.

PA-Dickinson-Nyseth discloses the claimed invention except for the drying agent.

Baseman et al discloses vapor removal element **30** with a drying agent **32** and a filter net **34** for minimizing contamination of the components within the enclosure. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the SMIF of PA-Dickinson-Nyseth with a drying agent and filter net as taught by Baseman et al in order to minimize contamination of the retained components.

As to the location in the cavities, PA discloses cavities **214**. It would have been an obvious matter of design choice to one of ordinary skill in the art at the time the invention was made to provide the drying agent of PA-Dickinson-Nyseth-Baseman in the cavities in order to maximize the use of space.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory Pickett whose telephone number is 571-272-4560. The examiner can normally be reached on Mon-Fri, 9:30 AM - 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on 571-272-4562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Greg Pickett
Examiner
28 February 2005


Mickey Yu
Supervisory Patent Examiner
Group 3700